

**L.E., by next friends and parents,
SHELLEY ESQUIVEL and
MARIO ESQUIVEL,**

Plaintiff,

v.

**BILL LEE, in his official capacity as
Governor of Tennessee; et al.,**

**KNOX COUNTY BOARD OF
EDUCATION a/k/a KNOX COUNTY
SCHOOL DISTRICT; et al.,**

Defendants.

Magistrate Judge Newbern

1. I am over the age of 18 and have direct knowledge of the matters stated herein.
2. The State Defendants rely on the attached exhibits in support of their contemporaneously filed Response in Opposition to Plaintiff's Motion for Summary Judgment.
3. Exhibit 1 is a true and correct copy of the 2022-2023 Tennessee Secondary Schools Athletic Association Handbook, Golf Regulations (June 20, 2022), <https://cms-files.tssaa.org/documents/tssaa/2022-23/sports-regulations/2022-23GolfRegulations.pdf>.
4. Exhibit 2 is a true and correct copy of excerpts of the transcript and exhibit 3 of the Deposition of Farragut High School Golf Coach Jonathan Franklin Higgins, dated July 25, 2022.

5. Exhibit 3 is a true and correct copy of excerpts of the transcript of the Deposition of Melissa Cyperski, Ph.D., dated August 10, 2022.

6. Exhibit 4 is a true and correct copy of excerpts of the transcript of the Deposition of Helen Carroll., dated August 9, 2022.

7. Exhibit 5 is a true and correct copy of the FINA Policy on Eligibility for the Men's and Women's Competition Categories at 6-8 (June 19, 2022), <https://resources.fina.org/fina/document/2022/06/19/525de003-51f4-47d3-8d5a-716dac5f77c7/FINA-INCLUSION-POLICY-AND-APPENDICES-FINAL-.pdf>.

8. Exhibit 6 is a true and correct copy of the Expert Report of Stephen B. Levine, M.D.

9. I have personal knowledge of the facts in this declaration and if call upon to testify, could competently do so.

Dated this the 4th day of November, 2022.

s/Stephanie Bergmeyer
Stephanie Bergmeyer